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FACSIMILE COVER SHEET

TO: Examiner Haoshian Shih, Art Unit No. 2173 FAX NO.: 571-273-8300

FROM: Louis Weinstein; Registration No. 20,477

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Nishiyama et al.

Application No.: 10/725,791

Confirmation No.: 3322

Filed: December 2, 2003

For: IMAGE PROCESSING APPARATUS AND
IMAGE PROCESSING METHOD FOR
CLASSIFYING IMAGES INTO ONE OF A
PLURALITY OF CATEGORIES, AND
SELECTING AND DESIGNATING A
PREDETERMINED IMAGE FROM AMONG
IMAGES BELONGING TO AT LEAST ONE
DESIGNATED CATEGORY (AS AMENDED)

Group: 2173

Examiner: Haoshian Shih

Our File: IPO-P1881

Date: May 12, 2009

COMMENTS:

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 03

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I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on May 12, 2009.

Louis Weinstein

May 12, 2009
Date

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PATENT

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**3 PAGES VIA FACSIMILE
TO (571) 273-8300**

**STATEMENT OF THE SUBSTANCE OF THE
INTERVIEW UNDER M.P.E.P. § 713.04**

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Sir:

Responsive to the Interview Summary dated May 5, 2009.

Applicant: Nishiyama et al.
Application No.: 10/725,791

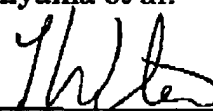
REMARKS/ARGUMENTS

Making reference to the Interview Summary, Applicant wishes to advise that Applicant's representative conducted a telephone interview with Examiner Haoshian Shih on April 30, 2009. During the interview, the Examiner indicated that the automatic scaling of images to be compared may alleviate the current prior art rejection.

Respectfully submitted,

Nishiyama et al.

By



Louis Weinstein

Registration No. 20,477

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